

The Honorable Richard A. Jones

(On Reference to the Honorable S. Kate Vaughan)

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRIS HUNICHEN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

ATONOMI LLC, a Delaware LLC; CENTRI  
TECHNOLOGY, INC., a Delaware  
Corporation; LAUNCHCAPITAL, LLC, a  
Delaware LLC; M37 VENTURES INC., a  
Nevada Corporation; VAUGHAN EMERY;  
DAVID FRAGALE; ROB STRICKLAND;  
KYLE STRICKLAND; DON DELOACH;  
WAYNE WISEHART; WOODY BENSON;  
MICHAEL MACKEY; JAMES SALTER;  
and LUIS PARIS,

Defendants.

No. C19-0615-RAJ-SKV

STIPULATION AND ~~[PROPOSED]~~  
ORDER TO VACATE PRETRIAL  
DEADLINES AS TO SETTLING  
DEFENDANTS ONLY

NOTED FOR CONSIDERATION:  
SEPTEMBER 3, 2021

ATONOMI LLC; a Delaware LLC,

Counterclaimant,

v.

CHRIS HUNICHEN,

Counter-Defendant.

STIPULATION AND ~~[PROPOSED]~~ ORDER TO VACATE  
PRETRIAL DEADLINES AS TO SETTLING DEFENDANTS  
(C19-0615-RAJ-SKV)

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1 ATONOMI LLC; a Delaware LLC,  
2  
3 Third Party Plaintiff,  
4 v.  
5 DAVID PATRICK PETERS; SEAN  
6 GETZWILLER; DAVID CUTLER;  
7 CHANCE KORNUTH; and DENNIS  
8 SAMUEL BLIEDEN,  
9  
10 Counter-Defendants.

11  
12 **STIPULATION**

13 Plaintiff Chris Hunichen and Defendants LaunchCapital LLC, Woody Benson, and David  
14 Fragale (“Settling Defendants”) stipulate as follows:

15 Certain deadlines are approaching under the Order Granting Defendants LaunchCapital  
16 LLC and M37 Ventures Inc.’s Motion to Modify Scheduling Order (the “Case Scheduling  
17 Order” Dkt. # 169), including deadlines to file discovery motions, to serve opening and rebuttal  
18 expert reports, to conclude discovery, and to file dispositive motions.

19 Plaintiff and the Settling Defendants entered into the Stipulation of Class Action  
20 Settlement and Release (the “Settlement”), presented as Exhibit A to the Declaration of Angus  
21 Ni (Dkt. # 206). Pursuant to the Settlement, Plaintiff filed a Motion for Preliminary Approval of  
22 Partial Class-Wide Settlement (“Preliminary Approval Motion” Dkt. # 205), which is pending  
23 before the Court.

24 The parties to the Settlement have agreed not to pursue discovery or any other actions  
25 against each other while seeking approval of the Settlement. The preliminary approval order, if  
26 signed, will affirm paragraph 88 of the Settlement, thereby staying all proceedings herein against  
27 the Settling Defendants pending entry of an order finally approving the Settlement.

The parties to the Settlement therefore stipulate that the remaining deadlines in the Case  
Scheduling Order should be vacated with respect to the Settling Defendants only, pending the  
Court’s decision on the Preliminary Approval Motion.

DATED: September 3, 2021

STIPULATION AND [PROPOSED] ORDER TO VACATE  
PRETRIAL DEADLINES AS TO SETTLING DEFENDANTS  
(C19-0615-RAJ-SKV) - 1

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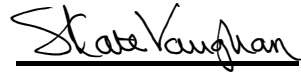
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***Attorneys for Defendant David Fragale***

**ORDER**

Pursuant to the above Stipulation, it is hereby ordered that the remaining deadlines in the Case Scheduling Order are vacated as to the Settling Defendants only.

ENTERED this 7th day of September, 2021.



S. KATE VAUGHAN  
United States Magistrate Judge